DETAILED ACTION

Response to Arguments

Applicant's arguments, see REMARKS, filed 22 August 2008, with respect to claims 21-33 have been fully considered and are persuasive. The 35 U.S.C. § 103 rejection of claims 21-33 has been withdrawn. Claims 35-37 have been canceled.

Applicant's arguments regarding claim 34 filed 22 August 2008 have been fully considered but they are not persuasive.

Applicant and applicant's representative are reminded that a prior art reference must be considered in its entirety, i.e., as a whole, including portions that would lead away from the claimed invention. W.L. Gore & Associates, Inc. v. Garlock, Inc., 721 F.2d 1540, 220 USPQ 303 (Fed. Cir. 1983), cert. denied, 469 U.S. 851 (1984)

The Examiner re-presents the same grounds of rejection below as those stated in the prior office action dated 22 May 2008.

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claim 34 is rejected under 35 U.S.C. 102(b) as being anticipated by Hawe et al (U.S. Pat 5070528 A), hereinafter referred to as Hawe.

Re claim 34: Hawe teaches a transmission/reception apparatus (see at least Abstract: *"A method and related cryptographic processing apparatus for handling*

information packets that are to be cryptographically processed prior to transmission onto a communication network, or that are to be locally cryptographically processed and looped back to a node processor") comprising:

a downstream PHY section for converting a received signal into data and outputting the converted data (see at least: col 8, lines 36-51; col 14, lines 54-61);

a downstream data processing section for separating downstream data and key data from the received data and outputting the resultant data (see at least: col 4, lines 9-22; col 13, lines 33-41);

a first encryption/decryption device for decrypting the downstream data using the key data and outputting the decrypted data (see at least: Figures 1a, 1b, 1c & 2: elements 14 & 16; col 8, lines 41-51);

a storage section for storing the decrypted downstream data (see at least: col 5, lines 34-40);

a second encryption/decryption device for encrypting upstream data read from the storage section and outputting the encrypted data (see at least: Figures 1a, 1b, 1c & 2: elements 14 & 16; col 8, lines 41-51);

an upstream data processing section for adding key data used for the encryption to the encrypted upstream data and outputting the resultant data (col 14, lines 48-53); and

an upstream PHY section for converting the data output from the upstream data processing section into a signal and transmitting the signal (Fig 2, all elts; col 8, line 61 – col 9, line 40),

wherein both the first and second encryption/decryption devices comprise: a data structure analysis block for receiving the downstream data including encrypted data or the upstream data including data to be encrypted, analyzing the structure of the data and outputting information related to encryption as control data, the data structure analysis block also outputting the encrypted data or the data to be encrypted as processing block input data (col 9, lines 5-42; col 13, lines 22-41; col 14, lines 36-61);

a data control block for outputting an encryption/decryption switch signal indicating which one of encryption and decryption should be performed (col 13, lines 33-41 and col 19, lines 49-68), and a mode selection signal indicating in which mode the processing block input data should be processed, according to the control data (col 10, lines 34-44; col 13, lines 22-41; col 14, lines 36-61);

and a shared processing block for performing encryption or decryption for the processing block input data according to the encryption/decryption switch signal, and outputting encrypted result or decrypted result, wherein the shared processing block is configured to have the ability to perform encryption and decryption in either of the CBC mode and the CFB mode by performing ECB processing using input key data, and performs encryption or decryption in the mode indicated by the mode selection signal (col 19, line 7 – col 20, line 44).

Allowable Subject Matter

Claims 21-33 are allowed.

Conclusion

Examiner's Note: Examiner has cited particular columns and line numbers in the references applied to the claims above for the convenience of the applicant. Although the specified citations are representative of the teachings of the art and are applied to specific limitations within the individual claim, other passages and figures may apply as well. It is respectfully requested from the applicant in preparing responses to fully consider the references in entirety as potentially teaching all or part of the claimed invention, as well as the text of the passage taught by the prior art or disclosed by the examiner.

In the case of amending the claimed invention, Applicant is respectfully requested to indicate the portion(s) of the specification which dictate(s) the structure relied on for proper interpretation and also to verify and ascertain the metes and bounds of the claimed invention.

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of

the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to DARREN SCHWARTZ whose telephone number is (571)270-3850. The examiner can normally be reached on 8am-4pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kim Vu can be reached on (571)272-3859. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/D. S./
Examiner, Art Unit 2435
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